

REMARKS

The Action rejects claims 1-3, 5, 8-11, 18, 19, 21-23, 25-27, and 30-40 under 35 USC § 103(a) as obvious over Uno (US 2003/0160686). Applicant respectfully traverses this rejection.

Uno discloses a bicycle control apparatus 15 including a controller 23 and display unit 24 housed in a case 27 mounted on a bicycle 1 handlebar assembly 4. See paragraphs [0024], [0025], and Figure 2, below. Uno fails to teach or suggest that the bicycle control apparatus includes a unit that performs basic locomotion functions when another unit of the bicycle control apparatus is removed from the bicycle.

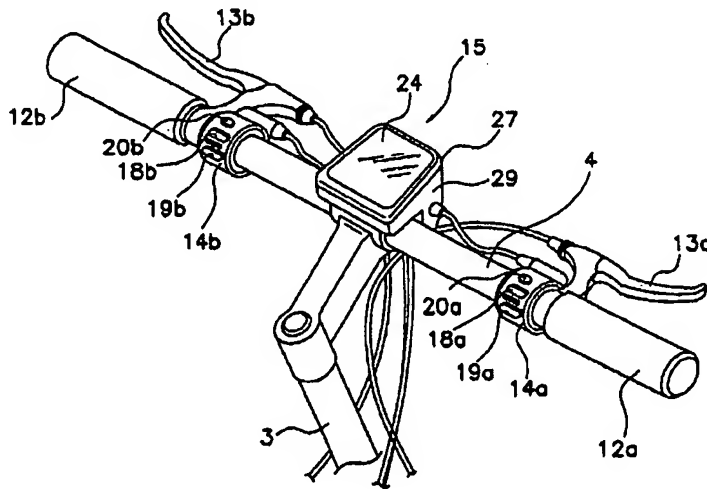


Fig. 2

Applicant's independent claims recite:

"said second unit implementing a set of basic locomotion functions, wherein the second unit performs the set of basic locomotion functions when

said first unit is removed from the cycle," (claims 1 and 27);

"said processing unit is configured for implementing a set of basic locomotion functions when said further unit is removed from the cycle," (claim 10);

"removal of the control unit from the cycle enables said complementary unit to implement a set of basic locomotion functions," (claim 11);

"a control/power unit that controls at least one actuator that moves a part on a cycle, wherein the control/power unit is operable by the person through the display unit or in the absence or lack of functionality of the display unit, through the control/power unit," (claim 18);" and

"at least one control unit...capable of continuing to perform a set of basic locomotion functions if the connection with and exchange of operational information with the at least one display unit is interrupted," (claim 30).

Underline emphasis added.

The Action correctly states that "Uno teaches that the display unit (24) can be configured to perform various display functions even when the case (27) is detached from the bracket (29)." Page 3 (underline emphasis added). This is different from Applicant's claimed configuration in which one of the units performs a set of basic locomotion functions when disconnected from the other.

A person of ordinary skill in the art would recognize that Uno's device actually acts in the opposite manner from that recited in Applicant's claims. At paragraph [0024], Uno explains that, "[c]ontrol apparatus 15 is connected to the actuators for front derailleur 33 and rear derailleur 42 via a connector 28, and it

performs gear shift control for both mechanisms." As shown in Uno's Figure 3, below, the display unit 24 is part of the control apparatus 15. To further demonstrate this, Uno's Figure 2, above, shows that these elements 15, 24 are housed in a common casing 27. See also paragraph [0024] ("the control apparatus 15 includes a controller 23...a display unit 24...and a clock 48"); paragraph [0025] ("The control apparatus 15 is disposed in a box-shaped control case 27, and the display unit 24 is disposed on the top surface thereof").

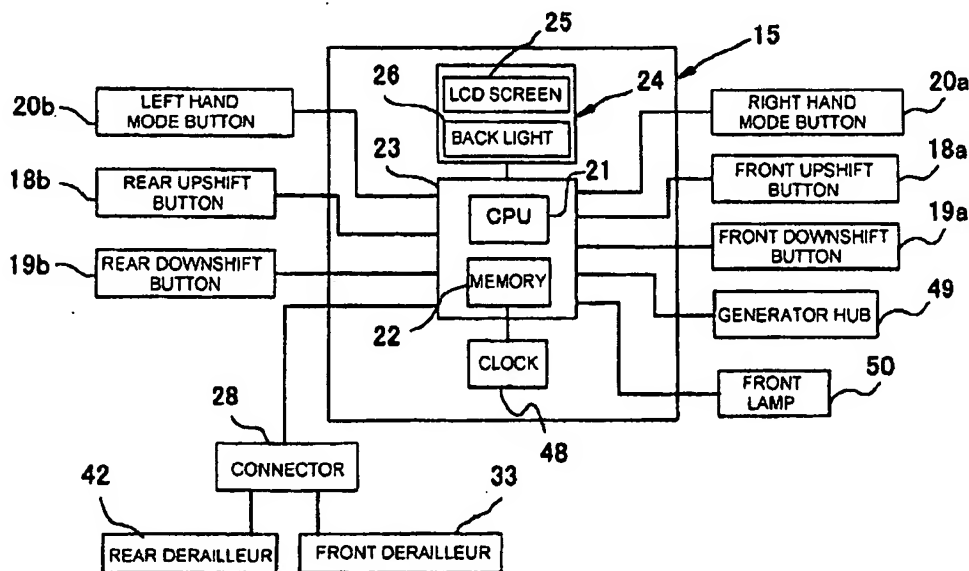


Fig. 3

Upon disconnection of the case 27 of the display unit 24, the entire controller apparatus 15, which performs gear shifting, becomes disconnected as well. Figure 3 further shows that the control apparatus 15 is the only connection formed between the upshifting and downshifting buttons 18a, 18b, 19a, 19b, and

the derailleurs 33, 42, which are the only elements shown that perform a locomotive function of the cycle. Removal of the control apparatus 15 would terminate this connection, making it impossible for any function thereof to be implemented. Uno never suggests any alternative configuration in which gear shifting, or any other locomotion functions of the bicycle, may continue absent the controller apparatus, and discloses no means by which this could occur.

The Action further states that "[i]t would have been obvious to one of ordinary skill in the art to modify the display system as taught in Uno to implement the basic locomotion functions using the previously stored values in the memory (22) when the display unit (24) is detached as the result of removing the case (27)." Page 5. The Action's statement ignores the fact that the memory 22 is also a part of the controller apparatus 15, contained within the casing 27, and thus also removed along with the display 24. See Figure 3, above. "A conclusion of obviousness requires that the reference(s) relied upon be enabling in that it put the public in possession of the claimed invention." MPEP § 2145 (underline emphasis added); See also, In re Hoeksema, 399 F.2d 269 (Fed. Cir. 1968). Nothing in Uno's disclosure enables or suggests such a modification. The fact that the three previous Actions only cited Uno as teaching only the limitations of dependent claims 2 and 3 further demonstrates the failure of this reference to teach or suggest all of the limitations of the independent claims.

The remaining dependent claims should be patentable for at least the reasons discussed above.

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Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the present application, including the pending and withdrawn claims, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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